

**UNITED STATES DISTRICT COURT,  
SOUTHERN DISTRICT OF NEW YORK**

**Victor Manuel HERNANDEZ,** ) **Civil Action**  
**Plaintiff,** ) **07-CV-7157**

v. ) STIPULATION AND  
 ) ORDER OF DISMISSAL

## **STIPULATION**

07-CV-7157

**GERARD HEINAUER;**

## **Director, Nebraska Service Center; )**

~~DR. EMMETT T. GONZALES,~~

## **Director, U. S. Citizenship & )**

**Immigration Services;**

**MICHAEL CHERTOFF,**

## **Secretary, U. S. Department of )**

## **Homeland Security,**

## Defenfants,

(Jones, B)

It is hereby stipulated and agreed by and between the parties to this action that this action be dismissed pursuant to Rule 41 of the Federal Rules of Civil Procedure. This dismissal is with prejudice.

Each party is to bear its own costs, fees, including attorney's fees, and disbursements.

The clerk shall enter judgement in accordance ith this Stipulation and Order of Dismissal.

Dated: Brooklyn, New York

~~April~~, 2008

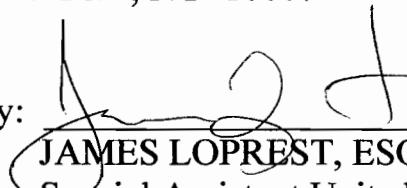
MATTHEW J. HARRIS, of Counsel  
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57 Montgomery Place  
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(718) 622-4104  
Attorney for Petitioner

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Dated: New York, New York  
May 22, 2008

MICHAEL J. GARCIA  
United States Attorney  
Southern District of New York  
86 Chambers Street  
New York, NY 10007

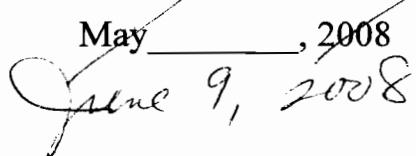
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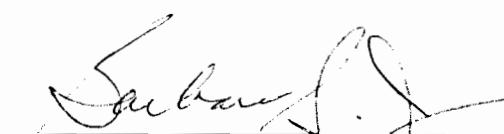
  
JAMES LOPREST, ESQ.  
Special Assistant United States Attorney  
(212) 637-2786

**SO ORDERED:**

Dated: Brooklyn, New York

May 9, 2008



  
HONORABLE BARBARA S. JONES  
United States District Judge